

1
2 BILL NO. A-75-10- 57.

3 APPROPRIATION ORDINANCE NO. A- 62-75

4 AN ORDINANCE appropriating certain monies in the
5 1975 Budget of the Community Development &
6 Block Grant of the City of Fort Wayne

7 WHEREAS, the City of Fort Wayne has heretofore applied for a com-
munity Development Block Grant from the Department of Housing and Urban
8 Development; and

9 WHEREAS, on or about the 22nd day of April, 1975 such application
10 was approved and a Block Grant made available to said City, as Project
B-75-MC-18-0003, in the gross amount of approximately \$2,081,000 for the pro-
11 gram year April 22, 1975 to April 21, 1976; and

12 WHEREAS, said grant included an authorization of \$600,000 for Re-
habilitation Loans and Grants, which monies may, from time to time be requis-
13 itioned by said City and deposited in appropriate bank accounts of the City of
Fort Wayne, and allocated to account number 95-950-631; and

14 WHEREAS, the Federal assistance provided is for the support of
15 community development activities which are directed toward specific objectives,
16 including:

- 17 (1) The elimination of slums and blight and the prevention of
18 blighting influences and the deterioration of property
- 19 (2) The elimination of conditions which are detrimental to health,
safety and public welfare, through code enforcement, demolition, in-
20 terim rehabilitation assistance, and related activities,
- 21 (3) The conservation and expansion of the Nation's housing stock
22 in order to provide a decent home and a suitable living environ-
ment for all persons, but principally those of low and moderate
23 incomes; and


24 WHEREAS, an eligible activity for which said Community Development
Block Grant funds may be used is financing rehabilitation of privately owned
25 properties through the use of grants, direct loans, loan guarantees and other
means; and

26 WHEREAS, the General Assembly of the State of Indiana has declared
27 that since the cities of this state contain many homes which are in danger of
condemnation because they do not comply with the building codes in effect in
28 the respective cities, that the expenditure of public money for the rehabilitation
of such homes in an expenditure for public use; and

29 WHEREAS, the Common Council of the City of Fort Wayne has here-
30 tofore, by Ordinance Number G-25-75 authorized the creation of a quasi-govern-
mental corporation named Neighborhood Care, Inc. to perform the functions
31 specified in its Articles of Incorporation; and

32 WHEREAS, the Articles of Incorporation of said Neighborhood Care,
33 Inc., after approval by the Common Council by Resolution No. R-50-75, have
34 been duly filed with the office of the Secretary of the State of Indiana on the
30th day of September, 1975; and

35
APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

WHEREAS, said Articles of Incorporation authorize said corporation, among other things, "to provide financial and technical assistance to the owners and purchasers of real property and the purchase, restoration, reconstruction, rehabilitation and improvement of real property"; and

WHEREAS, said Ordinance Number G-25-75 directs that said corporation may "receive and expend such amounts as may be appropriated from time to time by the Common Council of the City of Fort Wayne to carry out any of its purposes and functions . . ."; and

WHEREAS, said Neighborhood Care, Inc., has prepared and submitted to said City Council a statement of the policies and procedures for the making of rehabilitation loans and grants which statement has been examined by said City Council, and by the adoption of this ordinance is approved and adopted as the policies and procedures applicable to the provision of said rehabilitation assistance, and a copy of said policies and procedures are directed to be filed with the City Clerk of said City; and

WHEREAS, Neighborhood Care, Inc. is now operational and prepared to provide rehabilitation loan services, and it is now necessary to appropriate sufficient funds to Neighborhood Care, Inc. to provide these rehabilitation loan services.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That for the expenses of said Municipal Corporation, Community Development and Block Grant, the following sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, and transferred to Neighborhood Care, Inc. subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
Bill No. A-75-10	\$600,000	\$600,000
There is hereby appropriated and transferred from the unappropriated balance of the Community Development & Block Grant the sum of \$600,000.00 as follows:		
Neighborhood Care, Inc.		\$600,000

SECTION 2. That since certain existing appropriations now have unobligated balances, it is further ordained that the following existing appropriations be reduced in the following amount:

Community Development & Block Grant, Rehabilitation Loans and Grants Account 95-950-631	\$600,000
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SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.



Councilman

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Administrative & State Relations Co. (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on Tue., the 11th day of November, 1975, at 7:30 o'clock P.M., E.S.T.

Date:

10/24/75

Charles W. Westerhaus
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>8</u>	<u>0</u>		<u>1</u>	
BURNS	<u>X</u>				
HINGA	<u>X</u>				
KRAUS				<u>X</u>	
MOSES	<u>X</u>				
NUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE:

11-11-75

Charles W. Westerhaus
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 4-62-75 on the 11th day of November, 1975.

ATTEST:

(SEAL)

Charles W. Westerhaus
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1975, at the hour of 11:30 o'clock

James Stier
S.T.

Charles W. Westerhaus
CITY CLERK

Approved and signed by me this 12th day of November, 1975, at the hour of 1:30 o'clock M. E.S.T.

John A. Pryor
MAYOR

Bill No. A-75-10-57

REPORT OF THE COMMITTEE ON ADMINISTRATION AND STATE
Legislation LEGISLATION

We, your Committee on Administration & State to whom was referred an Ordinance
appropriating certain monies in the 1975 Budget of the Community Development
& Block Grant of the City of Fort Wayne

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

John Nuckols - Chairman

Winfield C. Moses, Jr. - Vice-Chairman

William T. Hinga

Samuel J. Talarico

Eugene Kraus, Jr.

John Nuckols
Winfield C. Moses, Jr.
William T. Hinga
Samuel J. Talarico

DATE 11-11-75 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

Excerpts from the
CITY OF FORT WAYNE

NEIGHBORHOOD CONSERVATION AND
REHABILITATION EFFORT HANDBOOK

Prepared by the

DEPARTMENT OF COMMUNITY
DEVELOPMENT AND PLANNING

E. OWEN DONNELLY,
Director

These excerpts include the policies and procedures applicable to the making of residential rehabilitation financial assistance (Loans and/or Grants, including "Forgiveable Loans"), and are intended to be those policies and procedures which govern the appropriation of monies for such purposes.

The excerpts are from the Handbook, which contains several other chapters covering Capital Improvements, Urban Homesteading, Eligibility for financial aid, Contractual requirements, accounting and administrative procedures and related matters.

These excerpts are submitted to City Council in accompaniment of an Appropriation Ordinance which would appropriate monies received, or to be received by the City of Fort Wayne from the Department of Housing and Community Development (HUD) under the Community Development Act of 1974.

Introduction

This handbook contains the policies and procedures applicable to the Neighborhood Care Program of the City of Fort Wayne.

It is intended that each of the components of the Program will be so utilized and the policies interpreted in such manner, that residential structures will be rehabilitated and maintained in a long-term attractive and usable condition, providing adequate, decent, safe and sanitary housing, in attractive environments, for all residents of Fort Wayne, within their financial ability.

To accomplish this, maximum use shall be made of the financial resources of the resident, aided as necessary, within the policies set forth herein, by financial assistance from the City and its constituent agencies and departments. To the fullest extent possible, citizens will be encouraged to participate in all phases of the Program, including, but not limited to, project identification, neighborhood organizations, volunteer labor and donated materials. Private rehabilitation efforts will be supported and encouraged.

In addition to residential rehabilitation, other facets of the program will be implemented.

These include:

Urban Homesteading

Public Facilities and Improvements

Continued Clean-up and Maintenance

Coordinated Code Enforcement

III

6-13-75

Ownership and Budgeting Counseling

Community Participation

Relocation Assistance

Spot Clearance and Demolition

Land Disposition for Re-Use

NEIGHBORHOOD CARE
REHABILITATION PROCEDURES

1. An inspector, from the Office of Minimum Housing, inspects the house.

Unless there is an immediate health or safety problem, he does not discuss any deficiencies with the property occupant.

The inspector won't condemn a property until Neighborhood Care staff have had an opportunity to work with the owner to fix the house.

The owner may work with Neighborhood Care, or he may work directly with the Housing Inspector to be sure that all required work is done so the house is brought up to Code.

2. The Neighborhood Counselor gets a copy of the inspection report, and meets with the owner to explain about financial aid and technical assistance. Even if the house does meet Code, there may be financial aid to help the owner make improvements.
3. The Neighborhood Care Rehabilitation Technician goes through the home with the owner, explains the Code deficiencies, suggests ways to correct the violations and make improvements. The Technician prepares a "rough" cost estimate.
4. The Neighborhood Care Financial Counselor visits with the homeowner, and helps fill out the financial forms and preliminary loan application. The "rough" cost estimate is used to help determine whether the homeowner has the ability to pay for the work he wants to do.
5. A preliminary financial package is discussed with the owner. He decides what work he wants done.
6. The Rehabilitation Technician prepares contract specifications for the work, and gets bids from contractors, including any contractors the owner suggests. He discusses these bids with the owner. Owner selects a contractor. A contract is prepared between the owner and the contractor, fixing the work to be done and establishing the cost. The contractor signs the contract.
7. The financial facts are verified and a final loan application is prepared. When the loan is approved, the owner signs the loan note and the contract. Money from the City is put into an escrow account so the contractor can be paid when the work is completed and inspected by the Rehabilitation Technician.

Chapter I. Policies

Introduction

In the interpretation of the procedures of this Program, and of its constituent parts, and in the determination and findings to be made by personnel and by appeal bodies, policies should be followed so that all residents and property owners receive fair and equal treatment.

The following policies are established:

1. The Minimum Housing Code of the City of Fort Wayne, Bill No. G-61-05-08, General Ordinance No. G-68, adopted by the Common Council, October 10, 1961, as amended or to be amended, shall serve as the basic standard for rehabilitation and occupancy of residential structures.

Amplification and extension of such Code, to include statements of intent designed to enhance the attractiveness of neighborhoods and of the environment of the structures as contained in Chapter II of this Handbook.

2. When remodeling and/or rehabilitation is undertaken such work shall meet the standards of the applicable building, electrical, fire prevention and plumbing code.

3. Code enforcement and inspections shall be conducted and administered in a manner to achieve uniformity of treatment of all occupants and property owners.

Appeals, and administrative decisions made out with respect to variations, variances, time-extensions and exceptions shall be in conformity with the established policies and aid the purposes of the Program.

4. Public improvements and facilities shall be provided in such manner, and shall be financed by such means, to afford the maximum benefit to the neighborhoods and to enhance residential environments.

5. With respect to those funds received under Title I of the Housing and Community Development Act of 1974 and expended for capital improvements within the target neighborhoods, policy guidelines are established. These are set forth in Chapter III, Neighborhood Capital Improvement Projects.

The criteria referred to in Chapter III, Neighborhood Capital Improvement Projects, as being the standard against which homes shall be judged to qualify for assessment credit shall be the basic standard for rehabilitation and occupancy of residential structures as modified and extended by Chapter II of this handbook.

6. Administrative and Accounting Procedures shall be established, and followed, to achieve the maximum benefits from monies expended, to allow effective program evaluation, to promote accountability and control of the receipts and disbursement of funds, and to provide effective personnel control and accountability.

Administrative procedures are set forth in Chapter IV of this handbook.

Accounting procedures are set forth in Chapter V of this handbook.

7. Accounts shall be established and maintained in accordance with Appendix G of Federal Management Circular 74-7, "Standards for Grantee Financial Management Systems".

Acquisition and relocation activities shall be, where the source of funds is derived from Title I of the Housing and Community Development Act of 1974, in accordance with Titles II and III of the Uniform Relocation Assist-

ance and Real Property Acquisition Policies Act of 1970 (40 U.S.C. 4601).

8. Program activities shall be carried out in conformance with the non-discrimination procedures and requirements of Community Development Block Grant regulations (24 CFR 570) whenever such program or activity is funded in whole or in part with Community Development funds, and generally, it is the intent that the Program, and all its constituent parts, be conducted with due regard to the prohibition of discrimination on the basis of race, color, national origin or sex, irrespective of the source of funds for the Program and its constituent parts.

9. Generally, and with particular regard to environment, historic preservation, labor standards, and the Architectural Barriers Act; whenever the Program is funded in whole or in part with Community Development funds, such program and its constituent parts, shall be conducted in accordance with the procedures and requirements of the Community Development Block Grant regulations (24 CFR 570).

In the absence of such funding, such Program and its constituent parts shall be administered to achieve (even in the absence of specific regulations) the intent of such regulations to enhance the environment, preserve structures of historic significance, eliminate physical barriers to handicapped persons and provide adequate compensation for services performed.

10. The Program, and all its constituent parts, whenever funded in whole or in part with Community Development funds, shall be administered to meet the performance standards established by the Community Development Block Grant regulation (24 CFR 570.900).

11. Financial assistance shall be provided to the owners of residential structures to achieve long-range rehabilitation of the housing units, in accordance with their ability to pay. Generally, ability to pay is determined to be a function of housing expenses as compared to adjusted income.

Specific criteria for eligibility for financial assistance is set forth in Chapter VI of this handbook.

12. Generally, the Program shall consist of constituent parts designed to achieve long-range rehabilitation of residential structures, in attractive neighborhood environments served by adequate public facilities, providing decent, safe and sanitary housing units to all residents of Port Wayne within their ability to pay.

The Program may consist of the following constituent parts;

(a) Urban Homesteading

Policies and procedures for Urban Homesteading are set forth in Chapter VIII of this handbook.

(b) Direct rehabilitation of acquired structures

Policies and procedures for Direct Rehabilitation are set forth in Chapter IX of this handbook.

(c) Residential Rehabilitation Loans and Grants

Policies and procedures for Residential Rehabilitation loans and grants are set forth in Chapter X of this handbook.

(d) Acquisition and rehabilitation of real property for Historic Preservation.

Policies and Procedures for Historic Preservation are set forth in Chapter XI of this handbook.

(e) Other Programs and Constituent Parts

Policies and procedures for such other programs are set forth in Chapter XII of this handbook.

Chapter X LOANS AND GRANTS

Section 1

COSTS INCLUDABLE IN REHABILITATION GRANT

1. General. A rehabilitation grant may be made only to cover the cost of rehabilitation necessary to make an owner-occupied one- to four-dwelling-unit residential property conform to public standards for safe, decent and sanitary housing as specifically required by Property Rehabilitation Standards (PRS), and other costs as provided in this section. As a result of the rehabilitation work financed, in whole or in part, by a rehabilitation grant, the property must, at a minimum, conform to PRS. Rehabilitation grant funds shall be used to achieve economical and practical compliance with PRS.
2. Includable Costs. Costs includable in rehabilitation grant are the costs of: meeting the requirements of PRS; kitchen equipment; correcting incipient violations; and building permits and related fees, as described below:
 - a. Requirement of PRS. When necessary to meet a specific requirement of PRS, a rehabilitation grant may be used, to the extent necessary for:
 - (1) The rehabilitation or removal of elements of the dwelling structure, including basic equipment, and of other improvements to the property such as garages, fences, steps, walkways and driveways. The term "basic equipment" includes such items as heating furnace, hot water tank, electrical and sanitary fixtures, and kitchen stove and refrigerator, but does not include other appliances.
 - (2) The provision of sanitary or other facilities, including the provision, expansion and finishing of space necessary to accommodate those facilities.
 - (3) The provision of additional or enlarged bedrooms.
 - (4) Grading, filling or landscaping of the grounds.
 - b. Kitchen Equipment. Whether or not required by PRS, rehabilitation grant may provide for the repair, or purchase and installation of a kitchen stove and/or refrigerator. Purchase and installation are acceptable if there is no such equipment in the dwelling unit, or if existing equipment is unsafe or unsanitary because of its basic physical condition. Grant funds may also be used for building in a stove and/or refrigerator, if necessary to replace existing build-in equipment.

- c. Incipient Violations. In order that a property may be brought up to and maintained at the PRS, a rehabilitation grant may be used for rehabilitation work necessary to correct incipient- as well as actual- violations of PRS. An incipient-violation exists if, at the time of inspection, it is thought that the physical condition of an element in the structure will deteriorate into an actual-violation in the near future (such as within a year or two).

(1) Examples of Different Types of Incipient-Violations.

- (a) A heat exchanger in a furnace may be expected soon to become inoperative or hazardous because of its age, condition, or use. A rehabilitation grant may provide for purchasing and installing a new heat exchanger. If the heat exchanger could not be separately replaced, the grant may provide for replacing the entire furnace.
- (b) A roof has one or more small leaks that can be patched at a low cost, but the roof probably will continue to develop leaks. A rehabilitation grant could provide for replacing the entire roof.

(2) Reporting Requirements. The property inspection report should identify the incipient-violations to establish the basis for providing for corrective work in the grant. For enforcement purposes, it may be necessary for actual-violations to be identified and listed separately from incipient-violations. However, the amount of rehabilitation grant to be made may cover both actual and incipient violations.

- d. Building Permits and Related Fees. A rehabilitation grant may provide funds to cover the cost of building permits and related fees that are required to carry out the proposed rehabilitation work. However, since the construction contract documents will require the contractor to pay for them, this cost ordinarily would be included in the contract amount.

3. Costs Not Includable. Except as otherwise provided in this section, a rehabilitation grant shall not provide for:

- a. New construction, substantial reconstruction, expansion of the structure, or the finishing of unfinished spaces.
- b. Materials, fixtures, equipment, or landscaping of a type or quality which exceeds that customarily used in the locality for properties of the same general type as the property to be rehabilitated.
- c. Appliances not required by PRS.
- d. Acquisition of land.

4. Work Write-Up. The Public Body shall prepare a work write-up to document the rehabilitation work to be financed with a rehabilitation grant.

Section 2

COSTS INCLUDABLE IN REHABILITATION LOAN

1. General. A rehabilitation loan may cover those costs allowable for financing by a rehabilitation grant (see Chapter X, Section 1, Costs Includable In Rehabilitation Grant).

In addition a rehabilitation loan may cover
 - a. Costs of refinancing existing debt;
 - b. New construction, substantial reconstruction, expansion of the structure and the finishing of unfinished space;
 - c. Purchase of land and structure; and
 - d. Appliances not required by PRS.
2. Work Write-Up. The Public Body shall prepare a work write-up to document the rehabilitation work to be financed with a rehabilitation loan.

Section 3 LIMITATION ON AMOUNT OF GRANT AND/OR LOAN

1. Grant: Rehabilitation grants shall not exceed \$4,500 per dwelling unit.
2. Loan: No rehabilitation loan may exceed the lesser of:
 - a. \$17,000 per dwelling unit;
 - b. The cost of rehabilitation and refinance, together with purchase of land and structure.
 - c. The sum of "as-is" value plus eligible costs of rehabilitation less the total other funds utilized.
 - d. In the event that a loan is required for rehabilitation of a property held under a land sale contract, to the contract purchaser such loan, being unsecured, cannot exceed \$3500. (See Chapter VI, Section 3, paragraph 5 (c).

Section 4 REFINANCING EXISTING DEBT SECURED BY PROPERTY

1. DEFINITION OF EXISTING DEBT. For purposes of refinancing, "existing debt secured by the property," means the unpaid balance of principal and accrued interest on the mortgage, deed of trust, land sales contract or similar instrument, as of the date of closing the rehabilitation loan, including termination fee, prepayment penalty, and any revenue stamps or taxes required of the applicant in connection with the transfer of title.
2. REQUIREMENTS. A rehabilitation loan may include, within the applicable loan limits, an amount to refinance existing debt secured by the property, if the property after rehabilitation will be a residential property containing one- to four- dwelling units, and the applicant falls in either category a or b, shown below.

- a. The applicant is the owner-occupant of the property and holds title in fee simple absolute at the time application is made for the rehabilitation loan. A rehabilitation loan may be used for the purpose of financing the purchase price for a property. Such loan may be granted only on special resolution of the Loan-Grant Committee.
 - b. The applicant is the purchaser-occupant under a written land contract that has been in effect and binding, and under which the purchaser actually occupied that property, for at least 90 days prior to the date application is made for the rehabilitation loan; provided that the applicant, as a result of the loan providing for refinancing, obtains clear fee title to the property by the time the rehabilitation loan is closed.
3. RELATIONSHIP OF DEBT SERVICE TO INCOME. In order for a rehabilitation loan to an owner-occupant to include an amount to refinance existing debt secured by the property, the sum of the monthly principal and interest payments for the loan for rehabilitation costs and the monthly payments on existing debt secured by the property, must result in total monthly payments for principal and interest that would exceed 20 percent of the applicant's monthly income.
4. RELATIONSHIP OF REHABILITATION COST TO LOAN AMOUNT. Refinancing will be considered only when rehabilitation costs represent one-fifth or more of the principal amount of the loan.
5. BASIS FOR ESTABLISHING AMOUNT OF MONTHLY DEBT SERVICE PAYMENTS.
- a. Land Sales Contract. In the case of a purchaser-occupant under a land sales contract, the monthly principal and interest payment required by the contract shall be used as the principal and interest for the purposes of refinancing.
 - b. Balloon Payments. In the case of an existing debt secured by the property for which the note and/or land sales contract requires a "balloon payment," a special computation shall be made taking the balloon payment into account to determine conformity to the requirement that monthly principal and interest must exceed 20 percent of monthly income. Balloon payment, as used here, refers to a lump sum payment required by the note securing the mortgage, deed of trust, or land sales contract, that is significantly larger than the regular monthly payments. Usually a balloon payment is the last payment to be made on the note. In making this computation the Public Body, using the interest rate and the term specified in the actual note on the existing debt or land sales contract, shall establish the monthly payments of principal and interest that would have been required to amortize the original principal on the level debt service basis as though no balloon payment had been involved. The result of that computation shall be used as the monthly principal and interest on existing debt for purposes of refinancing.

6. APPLICATION OF REFINANCING TECHNIQUES. Distinct advantages accrue to the applicant and Program objectives when an applicant is able to refinance an existing debt secured by the property through a rehabilitation loan. Therefore, the Public Body should encourage, advise, and assist the applicant on how to employ this financing device at every suitable opportunity.

- a. Refinancing Portion of Existing Debt. In refinancing existing debt secured by the property, it is not necessary for the rehabilitation loan to refinance all the existing debt. In some cases, there may be more than one debt secured by the property. It is not uncommon to find, for example, a first and second mortgage on a property for which a rehabilitation loan is sought. In such cases, providing all the other requirements of this chapter can be satisfied, the rehabilitation loan may include an amount to refinance either the first mortgage, the second mortgage, or both mortgages. However, any existing debt being refinanced must be entirely paid off and released.
- b. Inclusion of Refinancing will Exceed Loan Limits. Sometimes an applicant may not be able to obtain a rehabilitation loan that includes an amount to refinance existing debt because the total loan amount would exceed the applicable loan limits. In these instances, with the assistance of the Public Body, the applicant may be able to work out an arrangement with the mortgagee, or seller in the case of a land sales contract, that would enable the otherwise eligible applicant to obtain the benefits of refinancing. In some instances the mortgagee or seller may be willing to accept less than the debt balance due. In other instances, the mortgagee or seller may be willing to accept a lump sum payment in the amount that could be financed with a rehabilitation loan within the loan limits, and to take a new note and mortgage for the balance that would remain. The new note and mortgage should set a term and an interest rate so that the monthly payments of principal and interest on the remaining debt secured by the property and the rehabilitation loan will not exceed 20 percent of the applicant's monthly income. If this kind of partial refinancing does not result in a substantial reduction in total monthly payments of principal and interest for the applicant, the objective for refinancing will not be achieved.

Section 5 Grant as "Forgivable Loan"

Wherever feasible the City shall require that a grant-eligible applicant execute and deliver a collateral security real estate mortgage, covering the property rehabilitated, which mortgage shall specify:

- (1) That installment payments on the amount of financial assistance provided as a grant, shall not be required;
- (2) That the amount of financial assistance provided for rehabilitation of the property shall be a lien upon the property rehabilitated for a period of five (5) years from the date of settlement;
- (3) That in the event the owner-applicant shall sell, transfer, convey, devise or otherwise dispose of the said property, a proportionate amount of the financial aid given as a grant shall be immediately due and payable to the City as follows:

one-sixtieth of the amount of financial aid provided shall be deducted or credited for each month that has elapsed between the date of settlement and the date of transfer, or other conveyance.

Example:

A rehabilitation grant is provided in the amount of \$3,000. Thirteen months after settlement, the owner sells the property; the City must be paid \$2,350.00.

$$\frac{3000}{60} = 50 \times 13 = 650 \qquad \$3000 - \$650 = \$2350$$

At the end of the five year period the lien ceases.

Section 6 Improvement Loans

Policy with Respect to Rehabilitation Loans for Items Above Code Where
Property Has Been Inspected and Found to be Standard:

- (1) Upon receipt of a notice that a property has been inspected and found to meet Code, the Neighborhood Counselor shall contact the owner and offer financial and technical assistance so that the owner may undertake work items to enhance the attractiveness and livability of the property and to correct incipient violations, although not cited as Code violations.

A Rehabilitation Loan will be offered in a maximum amount not to exceed \$3500 in such instance. The interest rate shall be not less than 3% and the term not more than 12 years.

- (2) Upon receipt of a notice that a property meets Code, the Neighborhood Care shall make an exterior view of the property to determine whether, in the opinion of the Neighborhood Care, the exterior appearance is beneficial to the neighborhood, attractive and well maintained; in case the Neighborhood Care thinks some exterior work, not required by Code, will increase the attractiveness of the property, the Neighborhood Care shall make a personal contract with the owner to offer financial and technical assistance in accordance with paragraph 1 above.

(Policy adopted 9/3/75), Neighborhood Care Policy Committee)

NOTICE TO TAXPAYERS OF
ADDITIONAL APPROPRIATIONS

Notice is hereby given to the taxpayers of the City of Fort Wayne, Allen County, Indiana, that the Common Council of said Municipality will, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on Tuesday, the 11th day of November, 19 75 at 7:30 P.M. o'clock, Eastern Standard Time, consider the following additional appropriations which said Council considers necessary to meet an extraordinary emergency existing at this time.

BILL NO. A-75-10-57

There is hereby appropriated and transferred from the unappropriated balance of the Community Development & Block Grant the sum of \$600,000.00 as follows:

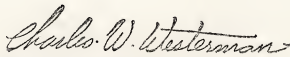
Neighborhood Care, Inc. \$600,000.00

That since certain existing appropriations now have unobligated balances, it is further ordained that the following existing appropriations be reduced in the following amount:

Community Development & Block Grant,
Rehabilitation Loans and Grants
Account 95-950-631 \$600,000.00

That for the expenses of said Municipal Corporation, Community Development and Block Grant, the following sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified and transferred to Neighborhood Care, Inc. subject to the laws governing the same.

Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriation, as finally made, will be automatically referred to the State Board of Tax Commissioners, which Commission will hold a further hearing within fifteen days at the County Auditor's Office of Allen County, Indiana, or at such other place as may be designated. At such hearing, taxpayers objection to any of such additional appropriations may be heard and interested taxpayers may inquire of the County Auditor when and where such hearing will be held.



CHARLES W. WESTERMAN
CITY CLERK

EMERGENCY APPROPRIATION ORDINANCE

WHEREAS, certain extraordinary emergencies have developed since the adoption of the existing annual budget, so that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore, to meet such extraordinary emergencies:

Sec. 1 Be it ordained by the Common Council of the City of Fort Wayne, Allen County, Indiana, that for the expenses of said municipal corporation the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same:

	<i>a-62-75</i>	AMOUNT REQUESTED	AMOUNT APPROPRIATED
BILL NO.	A-75-10-57	\$ 600,000.00	\$ 600,000.00

There is hereby appropriated and transferred from the unappropriated balance of the Community Development & Block Grant the sum of \$600,000.00 as follows:

Neighborhood Care, Inc. \$600,000.00

	<i>a-62-75</i>	AMOUNT REQUESTED	AMOUNT APPROPRIATED
BILL NO.	A-75-10-57	\$ 600,000.00	\$ 600,000.00

That since certain existing appropriations now have unobligated balances, it is further ordained that the following existing appropriations be reduced in the following amount:

Community Development & Block Grant,
Rehabilitation Loans and Grants
Account 95-950-631 \$600,000.00

That for the expenses of said Municipal Corporation, Community Development and Block Grant, the following amount of money is appropriated and transferred to Neighborhood Care, Inc.

Adopted this 11th day of November, 1975.

AYES

NAYS

Paul M. Burns

Vivian G. Schmidt

Samuel J. Talarico

John Nuckols

Donald J. Schmidt

William T. Hinga

Eugene Kraus, Jr.

Winfield C. Moses, Jr.

James S. Stier

ATTEST:

Charles W. Westerman
Charles W. Westerman
City Clerk

AUDITOR'S OFFICE

FILED

NOV 12 1975

Jan D. Uebelacker
AUDITOR OF ALLEN COUNTY

STATE OF INDIANA
STATE BOARD OF TAX COMMISSIONERS
201 State Office Building
Indianapolis 46204

In the matter of Additional Appropriations)
for: Allen County)
City of Fort Wayne)

No. 3063

A petition having been filed by the proper legal officers of the above named taxing unit in the matter of additional appropriations, this matter having been set for hearing on 12/1/75, a report having been made and all of the facts having been carefully considered, this Board does now take the following action thereon:

APPROVED:

Aviation Fund	\$141,118
Community Development Block Grant Fund	\$600,000

Reference is made to the appropriation ordinance or resolution of the proper appropriating officials of said taxing unit, adopted: November 11, 1975

STATE BOARD OF TAX COMMISSIONERS

Taylor I. Morris, Jr.
Taylor I. Morris, Jr., Commissioner

STATE OF INDIANA
OFFICE OF THE
STATE BOARD OF TAX COMMISSIONERS

I, Gordon E. McIntyre, Secretary of the State Board of Tax Commissioners, do hereby certify that the above is a full, true and complete copy of the order of this Board made this date in the above entitled matter.

WITNESS MY HAND and seal of the Board on this the 18th day
of December, 19 75.

DIGEST SHEET

TITLE OF ORDINANCE

9-75-10-57.

DEPARTMENT REQUESTING ORDINANCE

COMMUNITY DEVELOPMENT & PLANNING

SYNOPSIS OF ORDINANCE

An Ordinance appropriating funds to be received

under Community Development & Block Grant Project B-75-MC-18-0003, for
home rehabilitation loans and transferring these funds to Neighborhood
Care, Inc., the quasi-governmental body created to administer these
rehabilitation loans.

EFFECT OF PASSAGE

Makes Neighborhood Care, Inc. financially operational
and able to process and service loan applications.

EFFECT OF NON-PASSAGE

Unable to go forward with the rehabilitation loan
portion of Community Development Grant.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

\$600,000 - Funds granted by HUD for the stated purpose.

ASSIGNED TO COMMITTEE (J.N.)

DATE SUBMITTED: 10/22/75

*assigned to
John Marshall
JH.*



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

October 28, 1975

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of October 31 and November 7, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana, Public
Hearing Notice to Taxpayers of
Additional Appropriation of funds

Bill No. A-75-10-44
Aviation Fund

Bill No. A-75-10-40
Aviation Fund

Bill No. A-75-10-57
Neighborhood Care, Inc.

Please send us six (6) copies of the Publisher's Affidavit from both newspapers.

Thank You.

Respectfully yours,

A handwritten signature in cursive script, reading "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW/ne
Encl: 3

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	<u> </u>
Head number of lines	<u>2</u>
Body number of lines	<u>53</u>
Tail number of lines	<u>2</u>
Total number of lines in notice	<u>57</u>

COMPUTATION OF CHARGES

<u>57</u> lines, <u>2</u> columns wide equals <u>57</u> equivalent lines at <u>288¢</u> cents per line	<u>\$ 16.42</u>
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	<u> </u>
Charge for extra proofs of publication (50 cents for each proof in excess of two)	<u>2.00</u>
TOTAL AMOUNT OF CLAIM	<u>\$ 18.42</u>

DATA FOR COMPUTING COST

Width of single column <u>11</u> ems	Size of type <u>5½</u> point
Number of insertions <u>2</u>	Size of quad upon which type is cast <u>5½</u>

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla Dewald
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows: 10/31 & 11/7/75

Subscribed and sworn to before me this 7th day of November, 1975
Harry J. O'Boyle
Notary Public

My commission expires September 28, 1979

NOTICE TO TAXPAYERS OF
ADDITIONAL APPROPRIATIONS
Notice is hereby given to the tax-
payers of the City of Fort Wayne, Allen
County, Indiana, that the Common
Council of said Municipality will, at the
Council Chambers, City-County Build-
ing, Fort Wayne, Indiana, on Tuesday,
the 11th day of November, 1975 at 7:30
P.M. o'clock, Eastern Standard Time,
consider the following additional
appropriations which said Council
considers necessary to meet an
extraordinary emergency existing at this
time.

BILL NO. A-75-10-57
There is hereby appropriated and
transferred from the unappropriated
balance of the Community Develop-
ment & Block Grant the sum of
\$600,000.00 as follows:

Neighborhood Care, Inc. \$600,000.00
That since certain existing appropri-
ations now have unobligated balances, it
is further ordered that the following
existing appropriations be reduced in
the following amount:

Community Development & Block
Grant.
Rehabilitation Loans and Grants
Account 95-950-631 \$600,000.00
That for the expenses of said Municipal
Corporation, Community Develop-
ment and Block Grant, the following
sums of money are hereby appro-
priated and ordered set apart out of the
several funds herein named and for the
purposes herein specified and trans-
ferred to Neighborhood Care, Inc. sub-
ject to the laws governing the same.

Taxpayers appearing at such meeting
shall have a right to be heard thereon.
The additional appropriation, as finally
made, will be automatically referred to
the State Board of Tax Commissioners,
which Commission will hold a further
hearing within fifteen days of the
County Auditor's Office of Allen
County, Indiana, or of such other place
as may be designated. At such hearing,
taxpayers objection to any of such ad-
ditional appropriations may be heard
and interested taxpayers may inquire
of the County Auditor when and where
such hearing will be held.

CHARLES W. WESTERMAN,
City Clerk

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	<u> </u>
Head number of lines	<u>2</u>
Body number of lines	<u>53</u>
Tail number of lines	<u>2</u>
Total number of lines in notice	<u>57</u>

COMPUTATION OF CHARGES

<u>57</u> lines <u>21</u> columns wide equals <u>57</u> equivalent lines at <u>288¢</u> cents per line	<u>\$ 16.42</u>
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	<u> </u>
Charge for extra proofs of publication (50 cents for each proof in excess of two)	<u>2.00</u>
TOTAL AMOUNT OF CLAIM	<u>\$ 18.42</u>

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 7, 1975

Arvilla DeWald
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

10/31 & 11/7/75

Subscribed and sworn to before me this 7th day of November, 1975

Arvilla DeWald
Notary Public

My commission expires September 28, 1979

BILL NO. 8-73-10-37
11-15-70
There is hereby appropriated and transferred from the unappropriated balance of the Community Development & Block Grant the sum of \$600,000.00 as follows:
Neighborhood Care, Inc. \$600,000.00
That since certain existing appropriations now have unobligated balances, it is further ordained that the following existing appropriations be reduced in the following amount:
Community Development & Block Grant
Rehabilitation Loans and Grants Account 95-950-031 \$600,000.00
That for the expenses of said Municipal Corporation, Community Development and Block Grant, the following sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified and transferred to Neighborhood Care, Inc. subject to the laws governing the same.
Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriation, as finally made, will be automatically referred to the State Board of Tax Commissioners, which Commission will hold a further hearing within fifteen days at the County Auditor's Office of Allen County, Indiana, or at such other place as may be designated. At such hearing, taxpayers objection to any of such additional appropriations may be heard and interested taxpayers may inquire of the County Auditor when and where such hearing will be held.
CHARLES W. WESTERMAN,
City Clerk
10-31-11-7.

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

2

Body number of lines

53

Tail number of lines

2

Total number of lines in notice

57

COMPUTATION OF CHARGES

57 lines, 1 columns wide equals 57 equivalent lines at .288¢ cents per line

\$ 16.42

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

2.00

Charge for extra proofs of publication (50 cents for each proof in excess of two)

\$ 18.42

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Title Clerk

19 75

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, says that he is Clerk

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

time, the dates of publication being as follows:

10/31 & 11/7/75

Subscribed and sworn to before me this 7th day of November 1975

V. E. Gerken

Notary Public

My commission expires

September 28, 1979

NOTICE TO TAXPAYERS OF
ADDITIONAL APPROPRIATIONS
Notice is hereby given to the tax-
payers of the City of Fort Wayne, Allen
County, Indiana, that the Common
Council of said Municipality will, at the
Council Chambers, City-County Build-
ing, Fort Wayne, Indiana, on Tuesday,
the 11th day of November, 1975 at 7:30
P.M. o'clock, Eastern Standard Time,
consider the following additional
appropriations which said Council
considers necessary to meet an
extraordinary emergency existing at this
time.

BILL NO. A-75-10-57
There is hereby appropriated and
transferred from the unappropriated
balance of the Community Develop-
ment & Block Grant the sum of
\$600,000.00 as follows:

Neighborhood Care, Inc. \$600,000.00

That since certain existing appropri-
ations now have unobligated balances, it
is further ordained that the following
existing appropriations be reduced in
the following amount:

Community Development & Block
Grant.

Rehabilitation Loans and Grants
Account 95-50-01 \$600,000.00

That for the expenses of said Muni-
cipal Corporation, Community Develop-
ment and Block Grant, the following
sums of money are hereby appropri-
ated and ordered set apart out of the
several funds herein named and for the
purposes herein specified and trans-
ferred to Neighborhood Care, Inc. sub-
ject to the laws governing the same.

Taxpayers appearing at such meeting
shall have a right to be heard thereon.
The additional appropriation, as finally
made, will be automatically referred to
the State Board of Tax Commissioners,
which Commission will hold a further
hearing within fifteen days of the
County Auditor's Office of Allen
County, Indiana, or at such other place
as may be designated. All such hear-
ings, taxpayers objection to any of such ad-
ditional appropriations may be heard
and interested taxpayers may inquire
of the County Auditor when and where
such hearings will be held.

CHARLES W. WESTERMAN,
City Clerk

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head	number of lines	<u>2</u>
Body	number of lines	<u>53</u>
Tail	number of lines	<u>2</u>
Total number of lines in notice		<u>57</u>

COMPUTATION OF CHARGES

57 lines, 1 columns wide equals 57 equivalent lines at .288¢ \$ 16.42
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM \$ 18.42

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5 1/2 point

Number of insertions 2 Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 7, 1975

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V.E. Gerken who, being duly sworn, says

that S/he is Clerk of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

10/31 & 11/7/75

Subscribed and sworn to before me this 7th day of November 1975

My commission expires September 28, 1979

Notary Public

of the Community Development & Block Grant the sum of \$600,000.00 as follows:

Neighborhood Care, Inc. \$600,000.00

That since certain existing appropriations now have unobligated balances, it is further ordained that the following existing appropriations be reduced in the following amount:

Community Development & Block Grant.

Rehabilitation Loans and Grants Account \$5,950.00 \$600,000.00

That for the expenses of said Municipal Corporation and Block Grant, the following sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified and transferred to Neighborhood Care, Inc. subject to the laws governing the same.

Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriation, as finally made, will be automatically referred to which Commission will hold a further hearing within fifteen days at the County Auditor's Office of Allen County, Indiana, or at such other place as may be designated. At such hearing, taxpayers' objection to any of such additional appropriations may be heard and interested taxpayers may inquire of the County Auditor when and where such hearing will be held.

CHARLES W. WESTERMAN,
City Clerk